

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ANDREA MARIE WIKE,

Plaintiff,

vs.

DOUGLAS COUNTY, DIANE BATTIATO,
LILIANA E. SHANNON, THOMAS
WHEELER, MARY ANN BORGESON,
DONALD KLEINE, ALAN E. SOUTH, and
RON MURTAUGH,

Defendants.

8:22CV297

MEMORANDUM AND ORDER

Plaintiff filed a motion to proceed in forma pauperis (“IFP”). [Filing No. 2](#). However, her request does not comply with the terms of [28 U.S.C. § 1915](#), the statute authorizing proceedings in forma pauperis, as although Plaintiff attached the correct IFP Form and affidavit to her motion, she left the form blank, and her affidavit fails to set forth or otherwise address her assets or ability to pay. See [28 U.S.C. § 1915\(a\)\(1\)](#) (requiring the plaintiff to submit “an affidavit that includes a statement of all assets such prisoner possesses that the person is unable to pay such fees or give security therefor”). Without providing the information required as set forth in [Section 1915\(a\)\(1\)](#), the Court is unable to determine whether Plaintiff is financially eligible to proceed IFP. Plaintiff has the choice of either submitting the \$402.00 filing and administrative fees to the Clerk’s office or submitting a request to proceed IFP that complies with 28 U.S.C. § 1915. Failure to take

either action within 30 days will result in the Court dismissing this case without further notice to Plaintiff.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion for Leave to Proceed IFP, [Filing No. 2](#), is denied without prejudice for failure to comply with [28 U.S.C. § 1915](#).

2. Plaintiff is directed to submit the \$402.00 fees to the Clerk's Office or submit a proper request to proceed in forma pauperis that complies with [28 U.S.C. § 1915](#) within 30 days. Failure to take either action will result in dismissal of this matter without further notice.

3. The Clerk of the Court is directed to send Form AO240 ("Application to Proceed Without Prepayment of Fees and Affidavit") to Plaintiff.

4. The Clerk of the Court is directed to set a pro se case management deadline in this case using the following text: **September 22, 2022**: check for IFP Motion or payment.

Dated this 23rd day of August, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon
Senior United States District Judge